

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Original) A composition suitable for capturing unwanted molecules, the composition comprising functionally-available cyclodextrin and a cyclodextrin-incompatible material, wherein said cyclodextrin-incompatible material is not a perfume material and wherein the concentration of functionally-available cyclodextrin is at least about 0.001%.
2. (Withdrawn) A composition according to Claim 1 wherein the concentration of functionally-available cyclodextrin is at least about 0.01%.
3. (Withdrawn) A composition according to Claim 1 wherein the level of functionally-available cyclodextrin is at least about 10% of the level of functionally-available cyclodextrin which would be present in an equivalent composition containing none of the cyclodextrin-incompatible material.
4. (Withdrawn) A composition according to Claim 3 wherein the level of functionally-available cyclodextrin is at least about 30% of the level of functionally-available cyclodextrin which would be present in an equivalent composition containing none of the cyclodextrin-incompatible material.
5. (Withdrawn) A composition according to Claim 4 wherein the level of functionally-available cyclodextrin is at least about 50% of the level of functionally-available cyclodextrin which would be present in an equivalent composition containing none of the cyclodextrin-incompatible material.
6. (Withdrawn) A composition according to Claim 1 wherein at least about 10% of the total cyclodextrin present in the composition is in functionally-available form.
7. (Withdrawn) A composition according to Claim 6 wherein at least about 30% of the total cyclodextrin present in the composition is in functionally-available form.
8. (Withdrawn) A composition according to Claim 7 wherein at least about 50% of the total cyclodextrin present in the composition is in functionally-available form.
9. (Original) A composition according to Claim 1 wherein said composition comprises from about 0.01% to about 5%, by weight, of functionally-available cyclodextrin.

10. (Withdrawn) A composition according to Claim 9 wherein said composition comprises from about 0.1% to about 4%, by weight, of functionally-available cyclodextrin.
11. (Withdrawn) A composition according to Claim 1 wherein said composition comprises from about 5% to about 40%, by weight, of functionally-available cyclodextrin.
12. (Withdrawn) A composition according to Claim 11 wherein said composition comprises from about 7% to about 15%, by weight, of functionally-available cyclodextrin.
13. (Withdrawn) A composition according to Claim 1 wherein said cyclodextrin-incompatible material has a complexation constant with cyclodextrin of greater than about  $5,000 \text{ M}^{-1}$ .
14. (Original) A composition according to Claim 13 wherein said cyclodextrin-incompatible material has a complexation constant with cyclodextrin of greater than about  $8,000 \text{ M}^{-1}$ .
15. (Withdrawn) A composition according to Claim 1 wherein said cyclodextrin-incompatible material has a ClogP value of at least about 3.
16. (Withdrawn) A composition according to Claim 15 wherein said cyclodextrin-incompatible material has a ClogP value of at least about 3.5.
17. (Withdrawn) A composition according to Claim 1 wherein said cyclodextrin-incompatible material is a cyclodextrin-incompatible surfactant.
18. (Original) A composition according to Claim 1 wherein said composition additionally comprises a cyclodextrin-compatible surfactant having a complexation constant with cyclodextrin of no greater than about  $5,000 \text{ M}^{-1}$ .
19. (Withdrawn) A composition according to Claim 18 wherein said cyclodextrin-incompatible material is separated from the cyclodextrin by molecular aggregates comprising said cyclodextrin-compatible surfactant and said cyclodextrin-incompatible material.
20. (Withdrawn) A composition according to Claim 19 wherein at least 80% of the cyclodextrin-incompatible material is separated from the cyclodextrin by the molecular aggregates.

21. (Withdrawn) A composition according to Claim 18 wherein each surfactant present in the composition has a complexation constant with cyclodextrin of not greater than about  $5,000 \text{ M}^{-1}$ .
22. (Withdrawn) A composition according to Claim 18 wherein said composition comprises a cyclodextrin-incompatible surfactant having a complexation constant with cyclodextrin of greater than about  $5,000 \text{ M}^{-1}$ .
23. (Original) A composition according to Claim 1 wherein said composition additionally comprises a hydrotrope which is an organic compound having a complexation constant with cyclodextrin of no greater than about  $1,000 \text{ M}^{-1}$ .
24. (Withdrawn) A composition according to Claim 18 wherein said cyclodextrin-compatible surfactant has a critical micelle concentration (CMC) of not more than about  $10^{-2} \text{ mol/l}$ .
25. (Withdrawn) A composition according to Claim 24 wherein said cyclodextrin-compatible surfactant has a critical micelle concentration (CMC) of not more than about  $10^{-3} \text{ mol/l}$ .
26. (Original) A composition according to Claim 25 wherein said cyclodextrin-compatible surfactant has a critical micelle concentration (CMC) of not more than about  $10^{-4} \text{ mol/l}$ .
27. (Withdrawn) A composition according to Claim 18 wherein a mixture of all surfactants present in the composition has a CMC of not more than about  $10^{-2} \text{ mol/l}$ .
28. (Withdrawn) A composition according to Claim 27 wherein said mixture of all surfactants present in the composition has a CMC of not more than about  $10^{-3} \text{ mol/l}$ .
29. (Original) A composition according to Claim 28 wherein said mixture of all surfactants present in the composition has a CMC of not more than about  $10^{-4} \text{ mol/l}$ .
30. (Withdrawn) A composition according to Claim 18 wherein each surfactant present in the composition has CMC not more than about  $10^{-2} \text{ mol/l}$ .
31. (Withdrawn) A composition according to Claim 30 wherein each surfactant present in the composition has CMC not more than about  $10^{-3} \text{ mol/l}$ .
32. (Withdrawn) A composition according to Claim 31 wherein each surfactant present in the composition has CMC not more than about  $10^{-4} \text{ mol/l}$ .

33. (Withdrawn) A composition according to Claim 1 wherein said composition comprises at least one surfactant which has CMC greater than about  $10^{-2}$  mol/l and wherein a mixture of all surfactants present in the compositions has CMC not more than about  $10^{-2}$  mol/l.
34. (Cancelled)
35. (Withdrawn) A composition according to Claim 34 wherein said cyclodextrin-compatible surfactant has a complexation constant with cyclodextrin of no greater than about  $3,000 \text{ M}^{-1}$ .
36. (Withdrawn) A composition according to Claim 1 wherein each surfactant present in the composition has a complexation constant with cyclodextrin of no greater than about  $5,000 \text{ M}^{-1}$ .
37. (Withdrawn) A composition according to Claim 36 wherein each surfactant present in the composition has a complexation constant with cyclodextrin of no greater than about  $3,000 \text{ M}^{-1}$ .
38. (Withdrawn) A composition according to Claim 19 wherein said molecular aggregates are micelles or vesicles comprising said cyclodextrin-compatible surfactant.
39. (Withdrawn) A composition according to Claim 19 wherein all surfactants in the composition form part of said molecular aggregates.
40. (Withdrawn) A composition according to Claim 18 wherein said cyclodextrin-compatible surfactant is a nonionic surfactant.
41. (Withdrawn) A composition according to Claim 40 wherein said nonionic surfactant has a molecular weight of at least about 250.
42. (Original) A composition according to Claim 18 wherein said cyclodextrin-compatible surfactant is selected from the group consisting of block copolymer surfactant, siloxane surfactant, anionic surfactant, castor oil surfactant, sorbitan ester surfactant, polyethoxylated fatty alcohol surfactant, polypropoxylated fatty alcohol surfactant, glycerol mono-fatty acid ester surfactant, polyethylene glycol fatty acid ester surfactant, polypropylene glycol fatty acid ester surfactant, fluorocarbon surfactant, and mixtures thereof.
43. (Original) A composition according to claim 42 wherein the cyclodextrin-compatible surfactant is selected from the group consisting of castor oil surfactant, sorbitan ester surfactant,

polyethoxylated fatty alcohol surfactant, polypropoxylated fatty alcohol surfactant, glycerol mono-fatty acid ester surfactant, polyethylene glycol fatty acid ester surfactant, polypropylene glycol fatty acid ester surfactant, fluorocarbon surfactant, and mixtures thereof; wherein the cyclodextrin-compatible surfactant is preferably a castor oil surfactant.

44. (Withdrawn) A composition according to Claim 18 wherein said composition additionally comprises a polymer wherein a mixture of polymer and all surfactants present in the composition has a CMC of not more than about  $10^{-2}$  mol/l.

45. (Withdrawn) A composition according to Claim 44 wherein said mixture of polymer and all surfactants has a CMC of not more than about  $10^{-3}$  mol/l.

46. (Withdrawn) A composition according to Claim 45 wherein said mixture of polymer and all surfactants has a CMC of not more than about  $10^{-4}$  mol/l.

47. (Withdrawn) A composition according to Claim 44 wherein said composition comprises at least one ionic surfactant and wherein said polymer is nonionic or has a charge opposite to that of said surfactant.

48. (Withdrawn) A composition according to Claim 18 wherein said cyclodextrin-compatible surfactant is present at a concentration above its CMC.

49. (Withdrawn) A composition according to Claim 1 wherein said composition is a composition for capturing malodorous molecules.

50. (Withdrawn) A composition according to Claim 49 wherein said composition is a cleaning product.

51. (Withdrawn) A composition according to Claim 50 wherein said cleaning product is a liquid cleaning product, a fabric refresher, a hair care product, a personal washing product, a deodorant, or a composition for impregnation into a wipe.

52. (Cancelled)

53. (Withdrawn) A process according to Claim 52 wherein said process comprises combining said cyclodextrin-compatible material and said cyclodextrin-incompatible material with water to

form a first aqueous mixture and subsequently adding cyclodextrin to said first aqueous mixture to form said composition suitable for capturing unwanted molecules.

54. (Withdrawn) A process according to Claim 52 wherein said process comprises combining said cyclodextrin-compatible material and said cyclodextrin-incompatible material to form a first mixture, combining said cyclodextrin with water to form a second aqueous mixture and combining the first mixture and the second aqueous mixture to form said composition suitable for capturing unwanted molecules.

55. (Withdrawn) A process according to Claim 52 wherein said first mixture comprises said cyclodextrin-incompatible material solubilised in micelles or vesicles comprising said cyclodextrin-compatible material as molecular aggregates.

56. (Withdrawn) A method of removing unwanted molecules from a surface comprising applying to the surface a composition according to Claim 1 and allowing the composition to dry.

57. (Withdrawn) A method according to Claim 56 in which the surface is a fabric.

58. (Withdrawn) A cleaning method comprising applying to the article or articles to be cleaned a composition according to Claim 1.

59. (Withdrawn) A method according to claim 58 wherein said articles to be cleaned are garments, dishware, or hard surfaces.

for making the compositions of the present claims and, in any event, for making the compositions claimed in patented claim 17. Applicants respectfully submit that the present invention

disclose compositions containing a functionally-available cyclodextrin and a cyclodextrin-incompatible material. Woo, however, teaches a process for making a composition comprising a cyclodextrin, a cyclodextrin-compatible material, and a cyclodextrin-incompatible material. As the compositions of Woo and the present invention contain different materials, Applicants respectfully submit these inventions are patentably distinct. For the above reasons, Applicants respectfully request that the rejection made be reconsidered and withdrawn.

#### **CLAIM REJECTIONS UNDER 35 U.S.C. §112**

Claims 14, 23, 26, and 29 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Applicants respectfully traverse the rejection.

On page 4 of the Office Action, it alleges that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which is most nearly connected, to make and/or use the invention. Applicants respectfully submit that the specification enables one skilled in the art to make and/or use the invention.

The Office Action examines Claim 23, regarding to compatible hydrotropes. Claim 23, as originally filed, discloses that a hydrotrope is an organic compound having a complexation constant with cyclodextrin of no greater than about  $1,000 \text{ M}^{-1}$ . One of ordinary skill in the art would be able to create the composition of claim 23 with the disclosure given in the specification and claims. Thus, Applicants submit that the specification enables one skilled in the art to make and/or use the invention.

The Office Action examines Claim 14, regarding how one can determine from the specification what surfactant has a complexation constant greater than  $8000 \text{ M}^{-1}$ . Applicants respectfully submit that the test method for determining complexation constants is provided in the specification as filed under Section IV regarding measurement of complexation constants. *See*, Specification, page 37, lines 4-32. One of ordinary skill in the art would be able to determine what the complexation constant of the surfactants of the present invention with the disclosure given in the specification. Thus, Applicants submit that the specification enables on skilled in the art to make and/or use the invention.

The Office Action examines claims 26 and 29, regarding how one can tell from the specification what surfactants and combination of surfactants have the recited CMC values. Applicants respectfully submit that determining the CMC for surfactants and combinations of surfactants is well known in the art. As it is well known, one of ordinary skill in the art would readily know how to determine the CMC for surfactants and combinations of surfactants. Thus, Applicants submit that the specification enables one skilled in the art to make and/or use the invention. (Appendix A, attached hereto, is a nonlimiting example of one method of determining the CMC of a surfactant.)

**CLAIM REJECTIONS UNDER 35 U.S.C. §102**

Claims 1, 9, 14, 18, 26, 29, 34, 42, 43, and 52 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 4,678,598 to Ogino *et al.* ("Ogino"). Applicants respectfully traverse the rejection.

Ogino allegedly discloses shampoo compositions whereby when menthol is treated by a modified cyclodextrin and incorporated into a shampoo composition, the specific odor of menthol is mitigated. *See, e.g.*, Ogino, col. 3, lines 19-25. "The skin sensation inducing aromatic chemicals are treated by a modified cyclodextrin in advance and incorporated into the shampoo composition...." *See*, Ogino, col. 5, lines 23-26.

On page 5 of the Office Action, it is alleged that Ogino contains surfactants which Applicants' specification indicates are compatible or non-compatible with cyclodextrins. Applicants respectfully submit that Ogino does not teach each and every limitation of the present invention in a single prior art reference. Specifically, Ogino does not teach compositions having, among other ingredients, functionally-available cyclodextrin.

As disclosed by the present invention, functionally-available cyclodextrin is capable of complexing with unwanted molecules. *See, e.g.*, Specification, page 3, lines 25-30. Functionally-available cyclodextrin refers to cyclodextrin that is either not complexed with other materials (e.g., uncomplexed, free cyclodextrin) or is complexed with materials that only weakly complex with cyclodextrin. *See, e.g.*, Specification page 3, line 32 to page 4, line 1. The compositions of Ogino disclose compositions whereby cyclodextrin is used to mitigate the smell of these compositions. Any cyclodextrin present in Ogino is utilized by combining the aromatic chemicals of Ogino and cyclodextrin in advance to formulate a shampoo composition. As the cyclodextrin in Ogino is combined with aromatic chemicals,